

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

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|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | No. 23-CR-00004 |
| |) | |
| Plaintiff, |) | INDICTMENT |
| |) | |
| vs. |) | Count 1 |
| |) | 18 U.S.C. §§ 2251(a) and 2251(e): |
| ANDREW KYTE, |) | Sexual Exploitation of Children |
| |) | |
| Defendant. |) | Count 2 |
| |) | 18 U.S.C. §§ 2252(a)(2) and |
| |) | 2252(b)(1): Distribution of Child |
| |) | Pornography |
| |) | |
| |) | Count 3 |
| |) | 18 U.S.C. §§ 2252(a)(2) and |
| |) | 2252A(b)(1): Receipt of Child |
| |) | Pornography |
| |) | |
| |) | Counts 4-5 |
| |) | 18 U.S.C. §§ 2252A(a)(5)(B) and |
| |) | 2252A(b)(2): Possession of Child |
| |) | Pornography |
| |) | |

The Grand Jury charges:

Count 1
Sexual Exploitation of Children

Between in or about August 2018 and March 2019, in the Northern District of Iowa and elsewhere, the defendant, ANDREW KYTE, used, persuaded, induced, and enticed, and attempted to use, persuade, induce, and entice, minors under the age of 18 to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, causing and attempting to cause said visual depictions to be produced using materials that had previously been shipped and transported in

and affecting interstate and foreign commerce, including but not limited to an iPhone 8 cell phone and a Wiseup hidden camera, knowing and having reason to know that said visual depictions would be transported and transmitted in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce, and said visual depictions were transported in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce.

This was in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

Count 2
Distribution of Child Pornography

Between in or about September 2018 and April 2019, in the Northern District of Iowa and elsewhere, the defendant, ANDREW KYTE, knowingly distributed and attempted to distribute visual depictions of minors engaged in sexually explicit conduct, using a means and facility of interstate and foreign commerce, and said visual depictions having been transported in and affecting interstate and foreign commerce.

This was in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

Count 3
Receipt of Child Pornography

Between in or about November 2017 and April 2019, in the Northern District of Iowa and elsewhere, the defendant, ANDREW KYTE, knowingly received and attempted to receive visual depictions of minors engaged in sexually explicit

conduct, using a means and facility of interstate and foreign commerce, and said visual depictions having been transported in and affecting interstate and foreign commerce.

This was in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

Count 4
Possession of Child Pornography

Between in or about November 2017 and April 2019, in the Northern District of Iowa and elsewhere, the defendant, ANDREW KYTE, knowingly possessed and attempted to possess visual depictions of minors engaged in sexually explicit conduct, including a depiction involving a prepubescent minor or a minor who had not attained 12 years of age, said visual depictions having been produced using materials that had previously been shipped and transported in and affecting interstate and foreign commerce, namely, an iPhone 8 cell phone that had been manufactured outside the state of Iowa, and said visual depictions having been transported in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce.

This was in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

Count 5
Possession of Child Pornography

Between in or about June 2018 and April 2019, in the Northern District of Iowa and elsewhere, the defendant, ANDREW KYTE, knowingly possessed and attempted to possess visual depictions of minors engaged in sexually explicit

conduct, including a depiction involving a prepubescent minor or a minor who had not attained 12 years of age, said visual depictions having been produced using materials that had previously been shipped and transported in and affecting interstate and foreign commerce, namely, an Asus tablet that had been manufactured outside the state of Iowa, and said visual depictions having been transported in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce.

This was in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

A TRUE BILL

/s/Foreperson 01-24-2023
Grand Jury Foreperson Date

TIMOTHY T. DUAX
Acting United States Attorney

PRESENTED IN OPEN COURT
BY THE
FOREMAN OF THE GRAND JURY

By: Liz Dupuich
LIZ DUPUICH
Assistant United States Attorney

And filed 1/25/2023
PAUL DE YOUNG, CLERK